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| EXAMINER | |
|---|---|
| GAY, SONIA L | |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/824,039 | SYLVAIN, DANY | |
| | Examiner | Art Unit | |
| | SONIA GAY | 2614 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *11 May 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1- 42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

This action is in response to Amendment filed on 5/11/2010. The text of those sections of Title 35, U.S. code not included in this action can be found in a prior Office action.

### *Response to Amendment*

1. Applicant's amendment filed 05/11/2010 has been entered. No claims have been canceled. No claims have been added. Claims 1 - 42 are still pending in this application, with claims 1 and 22 being independent.

### *Claim Rejections - 35 USC § 103*

2. Claims 1-3, 7- 8, 10, 19 -24, 28 – 29, 31, and 40 - 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips et al. ( US 7,454,206) in view of Nassar ( US 6,801,528).

For claims 1 and 22, Philips et al. discloses a personal communication device and method for supporting a plurality of communication clients in a personal communication service device( Abstract, column 1 lines 47 – column 2 line 2), comprising: a) at least one packet communication interface (*user interface* and *data storage comprising machine language instructions*, Fig.2, 14 and 56; column 6 lines 10 - column 7 line 11); b) a control system associated with the at least one packet communication interface and adapted to( *processor*, Fig.2, 54; column 6 line 10 - column 7 line 11): i) provide a plurality of packet communication clients which are associated with a unique ID, wherein the unique IDs facilitate packet communications

with the plurality of packet clients ( column 6 lines 64—column 7 line 2, 15 - column 8 line 2); ii) establishing packet communications with each of the plurality of packet communication clients via at least one packet communication interface, the packet communications for each of the plurality of packet communication clients associated with a corresponding one of the IDs (column 7 line 15 – column 8 line 2). Yet, Phillips et al. fails to teach that each of the unique IDs is uniquely associated with distinct service nodes.

However, Nassar discloses a method for enabling a subscriber to connect to multiple service providers simultaneously wherein an application or client is associated with a unique ID which is also associated with a distinct service node of a distinct service provider for the purpose of facilitating the routing of packets from the application or client to the distinct service node associated with the a distinct service provider (routers as service nodes wherein *a subscriber can connect to one or more additional service providers (e.g. service provider A 180 and/or service provider B 190) via additional routers 120 and 125 during the packet session*, Fig.1, 120, 125, 180, 190, Fig.6, Fig.7A and 7B, 601b, 605; Abstract; column 2 lines 11 – 41; column 3 lines 44 – column 4 lines 7, 60 - column 5 line 10 ; column 6 lines 13 – column 7 line 33 – column 8 lines 47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Phillips et al. with the teachings of Nassar so that the packet communication clients which are associated with unique IDs as disclosed above in Phillips et al. can be associated with a single service node

such as a single PSDN ( Phillips et al., column 9 lines 60 – 63) or uniquely associated with several distinct service nodes (Nassar, routers used to access additional service providers, Fig.1, 120 and 125; column 5 lines 1 – 10) for the purpose of providing packet- based services to a communication device using different service providers.

For claims 2 and 23, Phillips et al. further discloses a user interface associated with the control system wherein the user interface and the control system are adapted to cooperate to provide a single interface for each of the plurality of communication clients ( Phillips et al., column 6 lines 24 - 34 ).

For claims 3 and 24, Philips et al further discloses wherein a user selects certain of the plurality of packet communication clients that are active at any given time ( Phillips et al., column 7 lines 16 – 27).

For claims 7 and 28, Phillips et al further discloses wherein the control system is further adapted to register each of the plurality of packet communication clients with at least one service node to enable communications (Phillips et al., column 9 lines 40 – column 10 line 25).

For claims 8 and 29, Phillips et al. and Nassar further discloses wherein the control system id further adapted to register certain of the plurality of packet communication clients with different service nodes ( Phillips et al., column 9 lines 40 – column 10 line 25) ( Nassar, column 6 lines 13 – column 7 line 33, line 47 – column 8 lines 47).

For claims 10 and 31, Phillips et al. further discloses wherein the at least one packet communication interface facilitates wireless communications ( Phillips et al., column 3 lines 4 - 23

For claims 19 and 40, Phillips et al. further discloses wherein the unique IDs are Session Initiation Protocol IDs ( Phillips et al., column 7 lines 3 - 8; column 9 lines 60 - 67).

For claims 20 and 41, Nassar further discloses wherein different one of the packet communications are established though different access points in different locations ( Nassar, column 6 lines 13 – column 7 line 33, line 47 – column 8 lines 47).

For claims 21 and 42, Phillips et al. further discloses wherein each of the plurality of packet communication clients may initiate and terminate communication sessions ( Phillips et al, column 6 lines 47 – 58; column 9 lines 60 – column 10 line 5; column 11 lines 34 - 37).

3. Claims 4- 6, 11 – 18, 25 - 27, and 32 - 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips et al. ( US 7,454,206) in view of Nassar ( US 6,801,528), and further in view of Yach et al. ( US 2002/0128036).

For claims 4, 6, 25, and 27, Phillips et al. fails to teach wherein the control system is further adapted to combine certain communication information associated with the packet communications into a common database and make the communication information available to a user via the user interface. However, Yach et al. discloses a system and a method for the purpose of integrating voice and data operations into a

single mobile device wherein certain communication information associated with the packet communications for each of a plurality of packet communication clients are combined into a common database and made available to a user via the user interface (Yach et al., i.e. unified event list, Abstract; [0061] [0068 - 0072] [0074] [0118 - 0124]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Phillips et al. with the teachings of Yach et al. to combine the certain communication information associated with the packet communications for each of a plurality of packet communication clients are combined into a common database and make it available to a user via the user interface for the purpose of integrating data operations into a single mobile device.

For claims 5 and 26, Phillips et al. fails to teach wherein the control system is further adapted to combine certain communication information associated with the packet communications into a separate database and make the communication information available to a user via the user interface. However, Yach et al. discloses a system and a method for the purpose of integrating voice and data operations into a single mobile device wherein certain communication information associated with the packet communications for each of a plurality of packet communication clients are combined into a separate database and made available to a user via the user interface (Yach et al., i.e. contact database, Abstract; [0061] [0068 - 0072] [0100]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Phillips et al. with the teachings of Yach et al. to combine the certain communication information associated with the

packet communications for each of a plurality of packet communication clients are combined in separate databases and make it available to a user via the user interface for the purpose of integrating data operations into a single mobile device.

For claims 11 and 32, Phillips et al. fails to teach wherein the at least one packet communication interface facilitates wired communications. However, Yach et al. discloses a method for the purpose of integrating voice and data operations into a single mobile device wherein the at least one packet communication facilitates wired communications ( Abstract; [0073]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Phillips et al. with the teachings of Yach et al. to include a wired connection on the wireless disclosed above in Phillips et al. for the purpose of providing wired, packet communications.

For claims 12 -13 and 33 - 34, Phillips et al. fail to explicitly disclose a cellular or non-packet communication interface associated with the control system, the control system further adapted to provide at least one cellular or non-packet communication client associated with a directory number and establish a cellular or non-packet communications via the non-packet communication interface. However, Yach et al. discloses a system and a method for the purpose of integrating voice and data operations into a single mobile device wherein a control system is further adapted to provide at least one cellular or non-packet communication client and establish cellular or

non-packet communications via the cellular or non-packet interface (*voice communication* module, Fig.2c, 24A; Abstract; [0008] [0010] [0036] [0061 - 0065] [0068 - 0072] ).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Phillips et al. with the teachings of Yach et al. so that the wireless device which communicates through a cellular network using a directory number disclosed in Phillips et al. ( *MSID,* column 3 lines 4 - 23; column 9 lines 40 - 50) comprises a cellular or non-packet interface associated with the control system for the purpose of establishing cellular or non-packet communications with at least one cellular or non-packet communication clients via the at least one cellular or non-packet communications interface.

For claims 14 and 35, Yach et al. further discloses a user interface associated with the control system wherein the user interface and the control system are adapted to cooperate to provide a common interface for each of the plurality of packet communication clients and the at least one non-packet communication client (Yach et al, Abstract; [0061] [0068 - 0072] ).

For claims 15,17, 36, and 38, Yach et al. further discloses wherein the control system is further adapted to combine certain communication information associated with the packet and non-packet communication for each of the plurality of packet communication clients and the at least one non-packet communication client into a common database and make the communication information available to a user via the

user interface (Yach et al., i.e. unified event list, Abstract; [0061] [0068 - 0072] [0074] [0118 - 0124]).

For claims 16 and 37, Yach et al. further discloses wherein the control system is further adapted to combine certain communication information associated with the packet and non-packet communication for each of the plurality of packet communication clients and the at least one non-packet communication client into a separate database and make the communication information available to a user via the user interface (Yach et al., i.e. contact database, Abstract; [0061] [0068 - 0072] [0100]).

For claims 18 and 39, Yach et al. further discloses wherein the communication information includes at least one of the group consisting of call logs, messages, contact information, and directory information ( Yach et al., [0011] [0046] [0056] [0057] [0068] [0071] [0117]).

4. Claims 9 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips et al. ( US 7,454,206) in view of Nassar ( US 6,801,525), and further in view of Westman et al.
(US 2004/0122934).

For claims 9 and 30, Phillips et al. fails to teach wherein a first of the plurality of packet communication clients is associated with a personal communication ID and second of the plurality of packet communication clients is associated with a business related communication ID. However, Westman discloses a personal device wherein device configures rifles for and register several unique IDs including a personal

communication ID and a business relate communication ID for the purpose of facilitating communications with the personal communication device ( Westman et al., Fig.3, [0006] [0009]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Phillips et al. with the teachings of Westman so that the packet communication clients are associated with a personal communication ID and business related communication ID for the purpose of facilitating communications the personal communication device.

### *Response to Arguments*

***5.*** Applicant's arguments, see Remarks, filed 12/28/2009, with respect to the rejection(s) of claim(s) 1-3, 7-8, 10, 19 – 24, 28 – 29, 31, and 40 - 42 and Nassar ( US 6, 801, 528) disclosing "wherein each of the unique IDs are uniquely associated with distinct service nodes" have been fully considered but they are not persuasive. On pages 2 and 4 of the Remarks, Applicant argues that the IP address of the service provider is separate and distinct from a unique ID of a service node. Examiner directs the Applicant to the claim language of claims 1 and 22 which recite "each of the unique IDs uniquely associated with distinct service nodes". The Examiner interprets this claim language to suggest that there can be an indirect relationship between the "service nodes" and the "unique IDs". On the other hand, an example of claim language which would distinctly suggest a direct relationship between the "service nodes" and the "unique IDs" would be --each of the unique IDs uniquely assigned to the distinct

service nodes --. In view of Examiner's interpretation of the claim language, particularly the word "associated", the unique IDs/IP addresses assigned to the additional service providers are also unique IDs for the distinct routers/service nodes which connect to the additional service providers as discussed above in the rejection and shown in Fig.1 of Nassar since Fig.1 shows that any packet routed to the additional service providers must necessarily pass or enter through the distinct router/service node of the additional service provider.

## *Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SONIA GAY whose telephone number is (571)270-

1951. The examiner can normally be reached on Monday to Thursday from 7:30 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sonia Gay/
Examiner, Art Unit 2614
July 13, 2010

/William J Deane/
Primary Examiner, Art Unit 2614